

JORDAN (Tier 2)

The Government of Jordan does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared with the previous reporting period, considering the impact of the COVID-19 pandemic, if any, on its anti-trafficking capacity; therefore Jordan remained on Tier 2. These efforts included identifying and referring to care twice as many victims as the previous reporting period and nearly doubling prosecutions of trafficking cases. In addition, the government enacted amendments to the 2009 anti-trafficking law, increasing penalties for traffickers, allowing prosecutors to seek restitution in trafficking cases, formalizing the use of specialized prosecutors and judges, and establishing a donations-based victims' assistance fund. The government also drafted a new national referral mechanism (NRM) and trained officials on implementation of the amendments and NRM. However, the government did not meet the minimum standards in several key areas. Lenient sentencing (resulting in more than 88 percent of sentenced traffickers receiving fines in lieu of imprisonment) undercut efforts to hold traffickers accountable, weakened deterrence, did not adequately reflect the nature of the crime, and increased potential security and safety concerns. Authorities continued to arrest, detain, and deport some victims for unlawful acts traffickers compelled them to commit, such as immigration violations and fleeing abusive employers. Jordan's visa sponsorship system, which placed a significant amount of power in the hands of employers of foreign workers, continued to create vulnerabilities for the exploitation of migrant workers and remained a significant impediment to authorities identifying and protecting trafficking victims.

PRIORITIZED RECOMMENDATIONS: Increase efforts to reduce lenient sentencing of convicted traffickers, including seeking penalties with significant prison terms consistent with the amended anti-trafficking law. * Increase efforts to proactively screen for and identify trafficking victims among vulnerable populations, such as detained foreign migrants, domestic workers, workers in the agricultural sector, refugees, children who were homeless or used the streets as a source of livelihood, and persons in commercial sex. * Ensure victims are not inappropriately punished for unlawful acts traffickers compelled them to commit, such as immigration or prostitution violations or escaping from an abusive employer. * Continue increasing efforts to investigate, prosecute, and convict sex trafficking and labor trafficking crimes. * Train law enforcement officers, judges, prison officials, and labor inspectors throughout the country to screen for, identify, and refer to protection services trafficking victims, including among vulnerable populations such as foreign workers and refugees. * Reform the visa sponsorship system by enforcing labor law protections for all workers in Jordan, including domestic workers, and allow workers to freely change employers. * Regulate and investigate fraudulent labor and recruitment practices. * Allocate adequate funding for operation of the government's trafficking shelter, and train shelter staff to identify and provide specialized care to victims. * Investigate and punish individuals for withholding workers' passports under Jordan's passport law. * Fully implement labor regulations governing work in the agricultural sector and increase labor inspections in this sector.

PROSECUTION

The government increased overall law enforcement efforts but sentenced convicted traffickers to insignificant penalties. The 2009 Law on the Prevention of Trafficking in Human Beings

criminalized sex trafficking and labor trafficking. During the reporting period, the government enacted amendments to the law. As amended, the law prescribed penalties of imprisonment and a fine for adult labor trafficking. The amended law did not provide a range for the sentence of imprisonment, but in such cases, the penal code provided a default sentence of between three- and 15-years' imprisonment. The amended law prescribed penalties of at least seven years' imprisonment, and a fine for adult and child sex trafficking and child labor trafficking. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as kidnapping.

The Public Security Directorate (PSD) and Ministry of Labor (MOL) joint counter-trafficking unit (CTU) remained the national lead on anti-trafficking investigations and continued to investigate potential trafficking crimes. During the reporting period, CTU investigated 214 potential trafficking cases, similar to 206 investigations of potential trafficking crimes in 2020. Of the 214 potential cases, CTU determined 36 cases involving 63 suspects met the criteria to be classified as trafficking cases and referred these to prosecutors; 10 of the 36 investigated cases were ongoing from the previous reporting period. These 36 cases included 12 sex trafficking cases, 12 domestic servitude cases, 11 forced labor cases, and one forced begging case. The Ministry of Justice (MOJ) initiated the prosecution of 23 trafficking cases involving 35 defendants and continued prosecuting 11 cases involving 24 defendants initiated in the previous reporting period; this was an increase compared with 22 defendants prosecuted in 2020. The government convicted nine traffickers under the trafficking law, compared to 12 convictions secured in 2020. Sentences ranged from a fine of 1,000 dinar (\$1,410) to 1.5 years' imprisonment and a fine. Only one convicted trafficker received a prison sentence greater than one year, which did not serve to deter or adequately reflect the nature of the crime; during the previous reporting period, eight of the 12 convicted traffickers received sentences greater than one year of imprisonment. Legal experts continued to report that some judges remained hesitant to convict perpetrators for human trafficking, preferring to pursue other charges such as labor violations that carried lesser penalties than the anti-trafficking law, due to the complexity of cases, lack of judicial experience and expertise, and the cultural acceptance of some forms of the crime such as forced labor in domestic work. The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking crimes.

Jordan's overcrowded and underfunded judicial system continued to lack a sufficient number of trained judges and prosecutors who could specialize in trafficking cases. However, beginning in 2018, the MOJ began assigning specialized prosecutors and judges to criminal cases, including trafficking; in accordance with the amendments to the anti-trafficking law, the Judicial Council appointed a total of 41 specialized public prosecutors and judges to ensure each court had at least one specialized judge and prosecutor in each governorate between June 2021 and January 2022. Previously, officials reported poor communication between CTU investigators and prosecutors contributed to weak prosecution of trafficking cases. During the reporting period, CTU continued implementing new case management procedures to allow CTU investigators to follow trafficking investigations through prosecution to improve the classification of trafficking cases. The government rotated specialized investigators out of CTU into other assignments every two years or less, which hindered the work of the unit; however, NGOs reported this also increased the overall number of PSD officers familiar with trafficking as new officers were consistently trained on trafficking. The government—at times in cooperation with international organizations

and NGOs—trained law enforcement, prosecutors, judges, labor inspectors, social workers, healthcare providers, provincial and district governors, and other frontline officials on trafficking indicators, victim identification, investigation procedures for trafficking cases, and related topics such as collecting digital evidence. To address an acknowledged lack of judicial experience and expertise, the Judicial Institute partnered with NGOs to train judges on trafficking-specific courses.

PROTECTION

The government increased efforts to identify and provide services to trafficking victims. In 2021, the government identified and provided various services to 61 trafficking victims (15 were victims of sex trafficking, 36 of forced labor, and 10 of an unspecified form of trafficking), which was an increase compared with 25 identified victims in 2020. Of the 61 victims, 14 were male and 47 female; 58 were adults and 3 children; 45 were foreign citizens and 16 Jordanian. During the reporting period, the government collaborated with civil society to draft new victim identification standard operating procedures (SOPs) and a national referral mechanism (NRM). In November 2021, the Attorney General endorsed the SOPs and NRM, and they entered a three-month trial period; at the end of the reporting period, the inter-ministerial National Committee for Countering Human Trafficking (NCCT) compiled input from government stakeholders and civil society, updated the NRM, and sent it to the Minister of Justice for final approval. Although CTU was headquartered in Amman, it used specialized liaison officers in police stations across the country to identify trafficking victims outside of the capital. CTU also relied on additional liaison officers in Syrian refugee camps; in September 2021, CTU also assigned liaison officers with the Civil Aviation Regulatory Authority. During the reporting period, the Ministry of Social Development's (MOSD) anti-vagrancy department continued a campaign (begun in October 2020) to remove vulnerable children, including forced begging victims, from the streets of Amman. Joint patrols by teams of MOSD social workers, PSD investigators, and female police officers screened children for trafficking indicators and referred potential trafficking victims to MOSD juvenile assistance centers to receive medical assistance and social services like family reintegration efforts. In 2021, authorities referred 1,000 vulnerable children, including potential trafficking victims, to MOSD shelters; in September 2021, authorities recognized three girls as forced begging victims and referred them to the government's Dar Karama shelter, dedicated to protecting trafficking victims, for specialized services.

The government continued to refer identified victims to multiple care shelters, including shelters run by an NGO and MOSD, and referred cases to CTU for investigation. MOSD continued to operate and fund the Dar Karama shelter, which provided psycho-social care, medical treatment, legal assistance, vocational training, and specialized services for children. It also continued to offer computer classes, a book club, and religious services for both Muslim and Christian shelter residents. The shelter's staff included lawyers and specialists in psychology, social work, nursing, and education. The PSD, including both gendarmerie and police officers, provided shelter security outside of the shelter. The provision of shelter services was not conditional upon a victim's cooperation with law enforcement or judicial authorities, and victims could freely and willingly leave the shelter. Victims were allowed to stay at the shelter for as long as two months, but victims' stay in the shelter could be extended through a process requiring MOSD approval; during the reporting period, MOSD drafted a shelter bylaw that would allow victims to stay the length of an investigation and prosecution without additional approvals. The shelter had the

capacity to serve a total of 35 victims, both Jordanian citizens and foreign nationals, with space for 20 women, five children, and 10 men. The shelter had a separate wing and entrance for male victims, and it was the only shelter in the country available to men; the shelter assisted 13 male victims. In 2021, the shelter served a total of 37 victims, which represented an increase compared with 14 victims served in 2020. The government referred three identified victims to an NGO shelter, six identified victims to their respective embassies, and 11 victims (five Jordanians, two Egyptians, and eight Kuwaitis) declined shelter services. Shelter staff cooperated with the embassies of Bangladesh, Ethiopia, Philippines, Sri Lanka, and Sudan to provide assistance to their nationals. Although the Dar Karama shelter was authorized to admit self-referrals to the shelter pending a subsequent formal CTU referral, NGOs and other stakeholders reported this process was confusing and the shelter's admittance rules needed clarification; in January 2022, the MOJ established a committee with relevant government stakeholders to amend the shelter's bylaws and clarify admittance rules. The government reported the Dar Karama shelter lacked funds to purchase return flights for foreign trafficking victims who wished to voluntarily return to their home country and did not have regular access to interpretation services for languages other than English; the government reported relying at times on embassies, NGOs, and international organizations to provide repatriation and interpretation assistance. The amended anti-trafficking law requires the creation of a donations-based victims' fund, which the government intends to use to finance protection services, plane tickets for voluntary repatriation, and other needs that are currently underfunded; the government was reviewing guidelines to permanently finance the fund at the end of the reporting period. Because the government shelter was located in Amman, victim services were difficult to access for victims outside of the capital.

The government encouraged victims to assist in the investigation and prosecution of their traffickers; PSD accompanied victims to court, and officials assigned all victims a lawyer throughout judicial proceedings to ensure protection of their rights. The 2009 anti-trafficking law, as amended, extended witness protections to trafficking victims, and trafficking victims were able to provide court statements electronically to prevent re-traumatization. Foreign victims also had the option to provide a deposition prior to being repatriated. The amended anti-trafficking law requires authorities to provide victims legitimate means to obtain compensation for damages through restitution or civil suits; however, these provisions were not implemented by the end of the reporting period. The government provided foreign victims with legal alternatives to their removal to countries where they faced retribution or hardship. In addition, the new NRM required the government to waive fees and assist foreign victims—who wished to remain in Jordan—with obtaining residency and finding employment. The amended anti-trafficking law also allowed foreign victims to seek temporary residence in Jordan until the completion of their cases' investigation and prosecution; as a result of the amendments and NRM, NGOs observed an increase in judicial officials offering victims immigration relief, including waiving overstay fees and work permit violations during the reporting period. Authorities continued to punish some potential foreign trafficking victims for unlawful acts traffickers compelled them to commit—such as immigration violations—including through fines, arrest, detention, and deportation; an NGO reported working on cases of nine potential trafficking victims whom the government detained because of fraudulent theft charges, absconding from abusive employers, and visa overstay fees. Furthermore, bureaucratic and financial barriers and detention prevented some victims from repatriation, even if a worker left

an employer because of exploitation. Some foreign workers, including potential trafficking victims, remained in Jordanian detention due to pending criminal charges against them or their inability to pay for overstay penalties or plane fare home. NGOs reported foreign labor trafficking victims were less likely to report abuses to the authorities because of fear of deportation or detention.

PREVENTION

The government maintained prevention efforts. The NCCT, chaired by the Minister of Justice and comprising relevant ministries, met regularly (virtually and in person), at times with NGO participation. The government continued to implement its 2019-2022 national anti-trafficking strategy in partnership with NGOs and international organizations. During the reporting period, the government began assessing the 2019-2022 strategy to prepare drafting the 2023-2025 national anti-trafficking strategy. The NCCT published quarterly reports on its efforts. The government continued to raise awareness about trafficking crimes throughout the country through workshops, television broadcasts, and other means. The government continued distributing anti-trafficking information to all foreign migrant workers entering Jordan and at inspected work sites. The MOL and CTU continued to operate a hotline to receive complaints of labor violations and potential trafficking crimes; the hotline offered interpretation services in some source-country languages. However, due to overall budget shortfalls, the government did not consistently maintain interpreters of some Asian languages at the hotline, which led to challenges in identifying potential trafficking victims and referring them to protection services. The MOL also operated an online complaint mechanism on its website for reporting child labor and trafficking cases.

Jordan's visa sponsorship system continued to prevent foreign workers from switching employers (without a letter of release from their sponsor) or receiving adequate access to legal recourse in response to abuse; the government reported granting ad hoc permission to allow domestic workers to change employers in an unspecified number of cases. Migrant workers, including potential trafficking victims, who left their place of employment prior to fulfilling their work contract, were considered illegal residents and subjected to fines and detention for their irregular presence in the country; loss of legal status created greater vulnerabilities to trafficking. Jordan maintained several bilateral labor agreements with other countries detailing recruitment procedures, working conditions, and wages; however, some of the bilateral labor agreements exacerbated vulnerabilities to trafficking. For example, a labor agreement between the Jordanian and Egyptian governments specified that an Egyptian national cannot leave Jordan without permission from his or her employer, even if the employer was convicted of trafficking crimes. Similarly, although the Ugandan government signed a labor agreement with Jordan, there was no Ugandan embassy or diplomatic representation in Jordan for Ugandan nationals, including potential trafficking victims, to seek assistance. The government worked with countries with diplomatic representation in Jordan to verify migrant workers' age, approve work permits, and translate work contracts into workers' native languages.

In October 2021, the government issued regulations requiring recruitment agencies to provide migrant domestic workers with insurance covering medical care and workplace accidents. The regulations also authorize the MOL to publicly rate recruitment agencies based on compliance with the labor law—including provisions prohibiting fraudulent recruitment practices, worker-

paid recruitment fees, and contract switching—and to close and withdraw licenses from poorly ranked agencies; the MOL did not report if it had implemented these regulations. Jordanian law prohibits recruitment agencies and employers of foreign workers from charging workers recruitment fees or deducting recruitment costs from wages; however, some Egyptian workers reported being pressured to pay their own recruitment fees. Through regular labor inspections, the MOL referred 22 recruitment agencies and 11 domestic worker complaints to CTU for further investigation during the reporting period; however, the government did not report further outcome of these cases. Jordan's passport law criminalized the withholding of passports by an employer, carrying penalties of six months to three years' imprisonment and fines. During the reporting year, CTU referred six cases of passport confiscation and 25 cases of unlawful wage withholding to the MOJ. The judiciary prosecuted six passport confiscation cases, but no individuals were convicted. The judiciary prosecuted 25 cases of unlawful wage withholding; nine individuals were convicted and received fines, while 10 cases remained pending. The government began implementing a new law approved in March 2021 to regulate the agricultural sector, which gave workers the right to file lawsuits, submit complaints to labor inspectors, and be exempt from work- or residency-permit fees; however, NGOs reported the changes did not address abuses of the visa sponsorship system for migrant workers who comprise the majority of the agricultural sector's workforce.

The government did not make efforts to reduce the demand for commercial sex acts or child sex tourism. In 2021, the government continued to take steps to reduce the vulnerability of Syrian refugees to trafficking. The government issued 59,108 work permits to Syrians from host communities and refugee camps in 2021, an increase compared with 38,756 distributed in 2020, which helped reduce this population's vulnerability to forced labor; however, overall meaningful economic opportunities for Syrian refugees were limited, especially for women, because of the instability of the job market due to the pandemic and because 94 percent of permits were issued to men. The MFA continued to report its finance department directly paid locally-hired, domestic staff of Jordanian diplomats posted abroad, in accordance with labor laws and wage rates in the host country.

TRAFFICKING PROFILE: As reported over the past five years, human traffickers exploit domestic and foreign victims in Jordan, and traffickers exploit victims from Jordan abroad. Trafficking victims in Jordan are primarily from South and Southeast Asia, East Africa, Egypt, and Syria. In 2018, an NGO reported a large increase in Ugandan trafficking victims following the implementation of a 2016 bilateral labor agreement between the Ugandan and Jordanian governments. Jordan relies on foreign migrant workers—many of whom are undocumented—in several sectors, including construction, agriculture, textiles, and domestic work; according to an NGO in 2018, workers in these sectors are the most vulnerable to trafficking because of informal work agreements. According to a 2020 study, officials estimate the total number of foreign workers in Jordan could be as high as 1.5 million, while the MOL estimates the number of irregular foreign workers in Jordan to be as high as 500,000. Jordan's visa sponsorship system increases foreign workers' vulnerability to trafficking by preventing them from switching employers without the initial employer's consent. Because work permits are linked to a specific employer, when a worker quits one job before securing another, the worker loses legal status increasing vulnerability to trafficking. Unscrupulous employers exploit the non-transferability of work visas to control or manipulate workers. Some recruitment agencies fraudulently recruit

victims from labor-source countries to Jordan using false promises of money or other benefits. Forced labor victims in Jordan experience withheld or non-payment of wages, confiscation of identity documents, restricted freedom of movement, unsafe living conditions, long hours without rest, isolation, and verbal and physical abuse. For example, adults from South and East Asia migrate to work in factories in Jordan's garment industry, some of whom experience withholding of passports, restricted movement, and unsafe living conditions. Traffickers exploit some migrant workers from Egypt—the largest source of foreign labor in Jordan—in forced labor in the construction, service, and agricultural sectors. During the reporting period, civil society reported an increase in Ethiopian domestic workers exploited in forced labor in Jordan. In 2017, the government estimated there were 82,643 foreign female domestic workers in Jordan, primarily from South and Southeast Asia and East Africa, who are highly vulnerable to forced labor. Some out-of-status domestic workers from Bangladesh, Indonesia, the Philippines, and Sri Lanka have been reportedly exploited in sex trafficking while looking for an employer or after fleeing their previous employers.

Refugees from Iraq, the West Bank and Gaza, Syria, and other countries are highly vulnerable to trafficking in Jordan, especially women and children working illegally or informally. Jordan is host to approximately 753,282 UNHCR-registered refugees from more than 55 countries, including 664,414 Syrians and 66,760 Iraqis. Non-Syrian and non-Palestinian refugees are vulnerable to labor exploitation due to the Jordanian government's restrictions on their ability to work in most formal employment sectors; non-Syrian refugees, including refugees from Iraq, Somalia, Sudan, and Yemen, do not have access to the formal labor market or are required to renounce their UNHCR registration to obtain work permits. In 2019, Iraqi refugees reported they are vulnerable to exploitation in the informal sector because employers pay them below-market wages and expect them to work excessively long hours. NGOs continue to observe an increase in child labor and potential forced child labor among Syrian refugee children working alongside their families in the agricultural and service industries, as well as peddling goods and begging. There have been reported cases of Syrian refugee women and girls sold into forced marriages in Jordan. Refugee boys and young men, in particular, often work illegally and informally in the Jordanian economy, which puts them at risk of trafficking.

Some Jordanian and Syrian girls are forced to drop out of compulsory school to perform domestic service in their families' homes; some of these girls are vulnerable to trafficking. Jordanian boys employed within the country in the service industry, agricultural sector, and as mechanics, street vendors and beggars may be victims of forced labor. NGOs and an international organization reported in 2018 an estimated 3,000 children begging in the streets in Jordan, some of whom are highly vulnerable to trafficking. Traffickers exploit Lebanese, North African, and Eastern European women in sex trafficking who have migrated to Jordan to work in restaurants and nightclubs; some Jordanian women working in nightclubs may also be exploited in sex trafficking. As reported by an NGO in 2016, some Egyptian women are exploited in forced begging or sex trafficking by their Jordanian husbands. Individuals from the Dom community, an Indo-Aryan people also known as the Bani Murra, are also vulnerable to forced labor and forced begging in Jordan due to a lack of access to social and education services and employment opportunities in Jordan.